

## *St. Louis City Ordinance 63006*

FLOOR SUBSTITUTE

BOARD BILL NO. [93] 173

INTRODUCED BY ALDERMAN PHYLLIS YOUNG

An ordinance affirming that the area blighted by Ordinance 62789, known as the 1808 South Ninth St. Area as described in Exhibit "A-1" attached hereto and incorporated by reference, is a blighted area as defined in 99.320 of the Revised Statutes of Missouri, 1986, as amended, (the "Statute" being Sections 99.300 to 99.715 inclusive), finding that certain other property located in the City of St. Louis ("City"), known as 1804 South Ninth St., and further described in Exhibit "A-2", attached hereto and incorporated herein by reference, is blighted, which properties are collectively referred to here as the 1804-08 South Ninth St. Area ("Area"), and more fully described in Exhibit "A", attached hereto and incorporated herein by reference; finding and affirming that redevelopment and rehabilitation of the Area is in the interest of the public health, safety, morals and general welfare of the people of the City; approving the Amended Blighting Study and Plan dated August 24, 1993 for the Area ("Amended Plan"), incorporated herein by attached Exhibit "B", pursuant to Section 99.430; finding that there is a feasible financial plan for the development of the Area which affords maximum opportunity for development of the Area by private enterprise; finding that no properties in the Area may be acquired by the Land Clearance for Redevelopment Authority of the City of St. Louis ("LCRA") through the exercise of eminent domain; finding that the Area is partially occupied and that the Redeveloper shall be responsible for providing relocation assistance pursuant to the Amended Plan to any eligible occupants displaced as a result of implementation of the Amended Plan; finding that financial aid may be necessary to enable the Area to be redeveloped in accordance with the Amended Plan; finding that there shall be available a ten (10) year tax abatement, and pledging cooperation of the Board of Aldermen and requesting various officials, departments, boards and agencies of the City to cooperate and to exercise their respective powers in a manner consistent with the Plan.

WHEREAS, by reason of predominance of defective or inadequate street layout, insanitary or unsafe conditions, deterioration of site improvements, improper subdivision or obsolete platting, there exist conditions which endanger life or property by fire or other causes and constitute an economic or social liability or a menace to the public health, safety, morals or welfare in the

present condition and use of the property known as 1804 South Ninth St., and more fully described in Exhibit "A-2"; and

WHEREAS, such conditions are beyond remedy and control solely by regulatory process in the exercise of the police power and cannot be dealt with effectively by ordinary private enterprise without the aids provided in the Statute; and

WHEREAS, there is a need for the LCRA, a public body corporate and politic created under Missouri law, to undertake the development of the above described Area as a land clearance project under said Statute, pursuant to plans by or presented to the LCRA under Section 99.430.1 (4); and

WHEREAS, by Ordinance 62789, this Board found the property located in the 1808 South Ninth St. Area, as described in Ordinance 62789, to be a "blighted area" as defined in Section 99.320(3) of the Statute and said property remains blighted; and

WHEREAS, by Ordinance 62789, this Board also approved a Redevelopment Plan for the Area, dated September 22, 1992; and

WHEREAS, it is desirable and in the public interest to expand the 1808 South Ninth St. Area to include 1804 South Ninth St., and to amend, rename and restate the Redevelopment Plan approved by Ordinance 62789 to include 1804 South Ninth St.; and

WHEREAS, the LCRA has recommended the Amended Plan to the Community Development Commission ("CDC") and to this St. Louis Board of Aldermen ("Board") titled "Amended Blighting Study and Plan for 1804-08 South Ninth St. Area", amended PAGE: Two of Eight August 24, 1993, consisting of a Title Page, a Table of Contents Page, and twelve (12) numbered pages, attached hereto and incorporated herein as Exhibit "B" ("Amended Plan"); and

WHEREAS, under the provisions of the Statute, and of the federal financial assistance statutes, it is required that this Board take such actions as may be required to approve the Amended Plan; and

WHEREAS, it is desirable and in the public interest that a public body, the LCRA undertake and administer the Amended Plan in the Area; and

WHEREAS, the LCRA and CDC have made and presented to this Board the studies and statements required to be made and submitted by Section 99.430 and this Board has been fully apprised by the LCRA and CDC of the facts and is fully aware of the conditions in the Area; and

WHEREAS, the Amended Plan has been presented and recommended by LCRA and CDC to this Board for review and approval; and

WHEREAS, a general plan has been prepared and is recognized and used as a guide for the general development of the City and CDC has advised this Board that the Plan conforms to said general plan; and

WHEREAS, this Board has duly considered the reports, recommendations and certifications of the LCRA and the CDC; and

WHEREAS, the Amended Plan does prescribe land use and street and traffic patterns which may require, among other things, the vacation of public rights of way, the establishment of new street and sidewalk patterns or other public actions; and

WHEREAS, this Board is cognizant of the conditions which are imposed on the undertaking and carrying out of a redevelopment project, including those relating to prohibitions against discrimination because of race, color, creed, national origin, sex, age, marital status or physical handicap; and

WHEREAS, in accordance with the requirements of Section 99.430 of the Statute, this Board advertised that a public hearing would be held by this Board on the Amended Plan, and said hearing was held at the time and place designated in said advertising and all those who were interested in being heard were given a reasonable opportunity to express their views; and

WHEREAS, it is necessary that this Board take appropriate official action respecting the approval of the Amended Plan.

NOW THEREFORE, BE IT ORDAINED BY THE CITY OF ST. LOUIS AS FOLLOWS:

SECTION ONE. The finding of the Board of Aldermen, by St. Louis Ordinance 62789, that certain property described therein (and described herein in Exhibit "A-1" attached hereto and incorporated herein) is a blighted area, as defined in Section 99.320(3) of the Revised Statutes of Missouri, 1986, as amended, (the "Statute" being Section 99.300 to 99.715 inclusive, as amended) is hereby confirmed.

SECTION TWO. There exists within the City of St. Louis ("City") a blighted area, as defined by Section 99.320(3) of the Statute, consisting of property know as 1804 South Ninth St., more fully described in Exhibit "A-2", attached hereto and incorporated herein, (the property described in Exhibits "A-1 and "A-2" are herein collectively known as the "Area").

SECTION THREE. The redevelopment of the Area as described in Exhibits "A-1" and "A-2" together and in Exhibit "A", also attached hereto and incorporated herein, as provided by the Statute, is necessary and in the public interest, and is in the interest of the public health, safety, morals and general welfare of the people of the City.

SECTION FOUR. The Area qualifies as a redevelopment area in need of redevelopment under the provision of the Statute, and the Area is blighted as defined in Section 99.320 of the Statute.

SECTION FIVE. The Amended Blighting Study and Plan for the Area, amended August 24, 1993 ("Amended Plan"), having been duly reviewed and considered, is hereby approved and incorporated herein by reference, and the President or Clerk of this St. Louis Board of Aldermen ("Board") is hereby directed to file a copy of said Amended Plan with the Minutes of this meeting.

SECTION SIX. The Amended Plan for the Area is feasible and conforms to the general plan for the City.

SECTION SEVEN. The financial aid provided and to be provided for financial assistance pertaining to the Area is necessary to enable the redevelopment activities to be undertaken in accordance with the Amended Plan for the Area, and the proposed financing plan for the Area is feasible.

SECTION EIGHT. The Amended Plan for the Area will afford maximum opportunity, consistent with the sound needs of the City as a whole, for the redevelopment of the Area by private enterprise, and private developments to be sought pursuant to the requirements of the Statute.

SECTION NINE. The Amended Plan for the Area provides that the Land Clearance for Redevelopment Authority of the City of St. Louis ("LCRA") may not acquire any property in the Area by the exercise of eminent domain.

SECTION TEN. The Area is currently partially occupied and all eligible occupants displaced by the Redeveloper ("Redeveloper" being defined in Section Thirteen, below) shall be given relocation assistance by the

Redeveloper at its expense, in accordance with all applicable federal, state and local laws, ordinances, regulations and policies.

SECTION ELEVEN. The Amended Plan for the Area gives due consideration to the provision of adequate public facilities.

SECTION TWELVE. In order to implement and facilitate the effectuation of the Amended Plan hereby approved it is found and determined that certain official actions must be taken by this Board and accordingly this Board hereby:

- (a) Pledges its cooperation in helping to carry out the Amended Plan;
- (b) Requests the various officials, departments, boards and agencies of the City, which have administrative responsibilities, likewise to cooperate to such end and to execute their respective functions and powers in a manner consistent With the Amended Plan; and
- (c) Stands ready to consider and take appropriate action upon proposals and measures designed to effectuate the Amended Plan.

SECTION THIRTEEN. All parties participating as owners or purchasers of property in the Area for redevelopment ("Redeveloper") shall agree for themselves and their heirs, successors and assigns that they shall not discriminate on the basis of race, color, religion, national origin, sex, marital status, age or physical handicap in the sale, lease, or rental of any property or improvements erected or to be erected in the Area or any part thereof and those covenants shall run with the land, shall remain in effect without limitation of time, shall be made part of every contract for sale, lease, or rental of property to which Redeveloper is a party, and shall be enforceable by the LCRA, the City and the United States of America.

SECTION FOURTEEN. In all contracts with private and public parties for redevelopment of any portion of the Area, all Redevelopers shall agree:

- (a) To use the property in accordance with the provisions of the Amended Plan, and be bound by the conditions and procedures set forth therein and in this Ordinance;
- (b) That in undertaking construction under the agreement with the LCRA and the Amended Plan, bona fide minority and women subcontractors and material suppliers will be solicited and fairly considered for subcontracts and purchase

orders by the general contractor and other subcontractors under the general construction contracts let directly by the Redeveloper;

(c) To be bound by the conditions and procedures regarding the utilization of minority and women business enterprises established by the Community Development Commission of the City of St. Louis ("CDC");

(d) To adhere to the requirements of the Executive Orders of the Mayor of the City, dated December 6, 1984, January 10, 1990 and March 31, 1992;

(e) To comply with the requirements of Ordinance No. 60275 of the City;

(f) To cooperate with those programs and methods supplied by the City with the purpose of accomplishing, pursuant to this paragraph, minority and women subcontractors and material supplier participation in the construction under this Agreement. The Redeveloper will report semi annually during the construction period the results of its endeavors under this paragraph, to the Office of the Mayor and the President of this Board; and

(g) That the language of this Section Fourteen shall be included in its general construction contract and other construction contracts let directly by Redeveloper.

The terms "minority contractor" or "minority material supplier" shall mean a business enterprise at least fifty one percent (51%) of which is owned and controlled by members of minorities. The terms "members of a minority" or "minority" mean Black Americans, Native Americans, Hispanic Americans, Asians, Pacific Islanders and other protected classes.

The terms "woman contractor" and "woman material supplier" shall mean a business enterprise at least fifty one percent (51%) of which is owned and controlled by women.

The term "Redeveloper" as used in this Section shall include its successors in interest and assigns.

**SECTION FIFTEEN.** A Redeveloper shall hereby be entitled to ad valorem tax abatement benefits for a period not to exceed ten (10) years from the commencement of such tax abatement. A Redeveloper may seek such tax abatement only pursuant to Section 99.700-99.715, Revised Statutes of Missouri, upon application as provided therein.

SECTION SIXTEEN. Where a proposed modification will substantially change the Amended Plan, the modification must be approved by this Board in the same manner as the Amended Plan was first approved. Modifications which will substantially change the Amended Plan include, but are not necessarily limited to, modifications on the use of eminent domain, to the length of tax abatement, to the boundaries of the Area, or to other items which alter the nature or intent of the Amended Plan.

The Amended Plan may be otherwise modified (e.g. urban design regulations, development schedule) by the LCRA, provided that such modification shall be effective only upon the consent of the CDC. Changes which are not substantial are those that do not go to the crux of the Amended Plan.

SECTION SEVENTEEN. The sections of this Ordinance shall be severable. In the event that any section of this Ordinance is found by a court of competent jurisdiction to be invalid, the remaining sections of this Ordinance are valid, unless the court finds the valid sections of the Ordinance are so essential and inseparably connected with and dependent upon the void section that it cannot be presumed that this Board would have enacted the valid sections without the void ones, or unless the court finds that the valid sections standing alone are incomplete and are incapable of being executed in accordance with the legislative intent.

## EXHIBIT "B"

AMENDED

BLIGHTING STUDY AND PLAN

FOR

1804-08 SOUTH NINTH ST. AREA

PROJECT # 291

LAND CLEARANCE FOR REDEVELOPMENT AUTHORITY

OF THE CITY OF ST. LOUIS

SEPTEMBER 22, 1992

AMENDED AUGUST 24, 1993

MAYOR  
FREEMAN BOSLEY, JR.  
AMENDED BLIGHTING STUDY AND PLAN FOR  
1804-08 SOUTH NINTH ST. AREA

A.	EXISTING CONDITIONS AND FINDING OF BLIGHT.....	1
1.	DELINEATION OF BOUNDARIES.....	1
2.	GENERAL CONDITION OF THE AREA.....	1
3.	PRESENT LAND USE AND DENSITY OF THE AREA.....	1
4.	PRESENT LAND USE OF SURROUNDING PROPERTIES....	1
5.	CURRENT ZONING.....	1
6.	FINDING OF BLIGHT.....	2
B.	PROPOSED DEVELOPMENT AND REGULATIONS.....	2
1.	DEVELOPMENT OBJECTIVES.....	2
2.	PROPOSED LAND USE OF THE AREA.....	2
3.	PROPOSED ZONING.....	2
4.	RELATIONSHIP TO LOCAL OBJECTIVES.....	2
5.	PROPOSED EMPLOYMENT FOR THIS AREA.....	2
6.	CIRCULATION.....	3
7.	BUILDING AND SITE REGULATIONS.....	3
8.	URBAN DESIGN.....	3
9.	PARKING REGULATIONS.....	4
10.	SIGN REGULATIONS.....	4
11.	BUILDING, CONDITIONAL USE AND SIGN PERMITS....	4
12.	PUBLIC IMPROVEMENTS.....	4
C.	PROPOSED SCHEDULE OF DEVELOPMENT.....	5
D.	EXECUTION OF PROJECT.....	5
1.	ADMINISTRATION AND FINANCING.....	5
2.	PROPERTY ACQUISITION.....	5
3.	PROPERTY DISPOSITION.....	5
4.	RELOCATION ASSISTANCE.....	5
E.	COOPERATION OF THE CITY.....	5
F.	TAX ABATEMENT.....	6
G.	COMPLIANCE WITH AFFIRMATIVE ACTION AND NONDISCRIMINATION LAWS AND REGULATIONS.....	6



1.	LAND USE.....	6
2.	CONSTRUCTION AND OPERATIONS.....	6
3.	LAWS AND REGULATIONS.....	6
4.	ENFORCEMENT.....	6
H.	MODIFICATIONS OF THIS PLAN.....	6
I.	DURATION OF REGULATION AND CONTROLS.....	7
J.	EXHIBITS.....	7
K.	SEVERABILITY.....	7

## E X H I B I T S

"A" LEGAL DESCRIPTION

"B" PROJECT AREA PLAN

"C" PROPOSED LAND USE

"D" ACQUISITION MAP

"E" EQUAL OPPORTUNITY AND NON- DISCRIMINATION GUIDELINES

### A. EXISTING CONDITIONS AND FINDINGS OF BLIGHT

#### 1. DELINEATION OF BOUNDARIES

The 1804-08 South Ninth St. Area ("Area") encompasses approximately 0.43 acres in the Soulard Neighborhood of the City of St. Louis ("City").

The legal description of the Area is attached and labeled Exhibit "A". The boundaries of the Area are delineated on Exhibit "B" ("Project Area Plan").

#### 2. GENERAL CONDITION OF THE AREA

The Area comprises a portion of City Block 3839S.

The property at 1808 South Ninth St. is in fair condition. The property at 1804 South Ninth St. is in poor condition. The physical conditions within the Area are shown on Exhibit "B" (Project Area Plan). For the purpose of this Plan, "Fair Condition" means (1) property that is generally structurally sound but suffers from inadequate maintenance and upkeep, or (2) vacant unimproved property that is underutilized. "Poor Condition" means (1) buildings that are

structurally unsound and/or substantially deteriorated, requiring major improvements such as new roofs, windows, systems, etc., in order to be used productively, or (2) property without buildings which is poorly maintained, has crumbling pavement, and/or is used for open storage.

Unemployment figures, computed by the Missouri State Employment Service, indicate a 8.9% unemployment rate for the City of St. Louis as of May, 1993. It is estimated that this rate is prevalent for residents of the neighborhoods surrounding the Area, although there are no residents within the Area.

There are currently twenty (20) jobs within the Area.

### 3. PRESENT LAND USE AND DENSITY OF THE AREA

Existing land uses within the Area include a restaurant occupying a former church and school, and the unoccupied old rectory for the former church.

The land use, including the location of public and private uses, streets and other rights-of-way is shown on Exhibit "B".

### 4. PRESENT LAND USE OF SURROUNDING PROPERTIES

The properties to the south, east and west of the Area are primarily residential and institutional uses. Properties to the north are primarily commercial uses.

Residential density for the surrounding neighborhoods is approximately 9.8 persons per acre.

### 5. CURRENT ZONING

The Area is zoned "D" Multi-Family District pursuant to the Zoning Code of the City of St. Louis which is incorporated in this Plan by reference.

### 6. FINDING OF BLIGHT

1808 South Ninth St. was found to be blighted by Ordinance 62789. 1804 South Ninth St. is unoccupied and in poor condition (as defined in Section A(2) above). The existence of deteriorated property constitutes both an economic liability to the City of St. Louis and presents a hazard to the health and well-being of its citizens. These conditions, therefore, qualify the Area as blighted within the meaning of Section 99.300 et seq. of the Revised Statutes of Missouri (the Land Clearance for Redevelopment Authority Law).

## B. PROPOSED DEVELOPMENT AND REGULATIONS

### 1. DEVELOPMENT OBJECTIVES

The primary objective of this Plan is to facilitate the development of the Area into productive residential or commercial uses permitted in the "D" Multi-Family Zoning District, with a variance granted by the Board of Adjustment of the City of St. Louis, if required.

## 2. PROPOSED LAND USE OF THE AREA

The proposed land uses for the Area are residential and commercial uses permitted in Areas designated "D" Multi-Family District by the City of St. Louis Zoning Code, with the proper variance. Redevelopers contracting with the Land Clearance for Redevelopment Authority of the City of St. Louis ("LCRA") to develop property in the Area (hereafter referred to as "Redeveloper") shall not be permitted to use said property for any use not permitted in the "D" Zoning District.

Exhibit "C" (Proposed Land Use) shows the proposed uses for the Area.

## 3. PROPOSED ZONING

The zoning for the Area can remain "D" Multi-Family District, provided a variance for a commercial use is granted by the Board of Adjustment of the City of St. Louis if the property is used for a commercial use. All land coverage and building intensities shall be governed thereby.

## 4. RELATIONSHIP TO LOCAL OBJECTIVES

The proposed land uses, zoning, public facilities and utility plans are appropriate and consistent with local objectives as defined by the General Plan of the City of St. Louis which includes the "Comprehensive City Plan" (1947), the "St. Louis Development Program" (1973), and the "Economic Development Strategy" (1978). Any specific proposal to the LCRA for development of the Area or any portion of the Area shall contain, among other things, adequate provisions for traffic, vehicular parking, safety from fire, adequate provisions for light and air, sound design and arrangement and improved employment opportunities.

## 5. PROPOSED EMPLOYMENT FOR THIS AREA

Approximately 20 to 25 new permanent jobs will be created if the Area is developed in accordance with this Plan. The exact number of jobs created will depend upon the specific nature of the proposed development.

## 6. CIRCULATION

The Proposed Land Use Plan (Exhibit "C") indicates the proposed circulation system for the Area. The layouts, levels and grades of all public rights-of-way may remain unchanged.

Rights-of-way changes will be subject to the review and approval of the City Department of Streets, and all vacations of rights-of-way are subject to approval by ordinance.

## 7. BUILDING AND SITE REGULATIONS

The Area shall be subject to all applicable federal, state and local laws, ordinances, regulations and codes, including but not limited to, the City Building Code, Zoning District Regulations, the Soulard Historic District Code and stipulations of the Heritage and Urban Design Commission ("HUDC") of the City. The population densities, land coverage, and building intensities of redevelopment shall be governed by the Zoning Code. No changes in the building codes or ordinances are required.

## 8. URBAN DESIGN

### a. Urban Design Objectives

The objective is to transform distinctive but deteriorating and under-utilized structures within a significant historic district into a refurbished and viable new facilities. The new use will contribute to preserving the buildings by enabling costly repairs to be made now and by producing a basis for on-going maintenance. Although the buildings may not be reused as a church and a rectory in the short term, the intent is that improvements to be made will not forever preclude an eventual re-use as a church or historic museum facility if this becomes a viable prospect in later years.

### b. Urban Design Standards

Improvement of this structure shall be in accordance with HUDC.

Requirements for Historic Districts. Boarded and broken windows and door openings shall be either restored or appropriately sealed, if doing so is acceptable to HUDC. Exterior walls shall be repaired and tuck pointed along with rectifying other presently unattended defects.

### c. Landscaping

The property shall be well landscaped. Existing perimeter street trees shall be retained and a parking lot shall be landscaped as noted in section B9.

### d. Fencing

The inappropriate chain link fence near the front of the building on the north side should be removed, replaced with a decorative metal fence or, at least, painted a black matte color. If the parking lot is fenced, an ornamental metal fence with a black matte finish shall be used.

Each Redeveloper shall maintain all structures, equipment, paved areas, and landscaped areas controlled by the Redeveloper in good and safe order both inside and outside, structurally and otherwise, including necessary and proper painting. Failure to meet this requirement may result in suspension of tax abatement.

## 9. PARKING REGULATIONS

Parking shall be provided in accordance with the applicable zoning and building code requirements of the City, including HUDC standards. This will provide adequate vehicular parking for the Area.

Surface parking shall not extend beyond the established building line. Surface parking along public streets shall be buffered by a continuous evergreen hedge at least two and one-half (2-1/2) feet high on planting and maintained at three and one-half (3-1/2) feet high at maturity. Three percent (3%) of the interior of all parking lots containing more than twenty-five (25) spaces shall be landscaped with trees, at least two and one-half (2-1/2) inch caliper in size on planting. The trees shall be planted on islands, the largest dimension of which shall be at least five (5) feet, planted with low-lying ground cover or other plant material.

## 10. SIGN REGULATIONS

All new signs shall be tastefully designed and respectful of the distinctive architecture of this property and shall be limited as set out in the City Code, HUDC stipulations, this Plan and contracts between the LCRA and the Redeveloper.

## 11. BUILDING, CONDITIONAL USE AND SIGN PERMITS

No building, conditional use, or sign permits shall be issued by the City of St. Louis without the prior written approval of the LCRA.

## 12. PUBLIC IMPROVEMENTS

No additional schools, parks, recreational and community facilities or other public facilities will be required. Additional water, sewage or other public utilities may be required depending on development. The cost of such utility improvements will be borne by the Redeveloper.

If funds are available to the LCRA, it may provide public improvements including, but not limited to, measures for the control of traffic, improvements to street lighting, street trees, and any other improvements which may further the objectives of this Plan.

When developed in accordance with this Plan, the Area will comprise a coordinated, adjusted and harmonious development that promotes the health, safety, morals, order, convenience, prosperity, the general welfare, efficiency and economy of the City.

### C. PROPOSED SCHEDULE OF DEVELOPMENT

The implementation of this Plan shall take place in two phases initiated within approximately one (1) year of approval of this Plan by ordinance and completed within approximately two (2) years of approval of this Plan by ordinance. Phase I calls for the rehabilitation of the residential structures. Phase II calls for the rehabilitation of the industrial building.

The LCRA may alter the above schedule as economic conditions warrant.

### D. EXECUTION OF PROJECT

#### 1. ADMINISTRATION AND FINANCING

The LCRA is empowered by Missouri law to administer development of all types pursuant to this Plan and can do so to the extent and in the manner prescribed by the Land Clearance for Redevelopment Authority Law of Missouri.

All costs associated with the development of the Area will be borne by the Redeveloper.

Implementation of this Plan may be financed by funds obtained from private and/or public sources, including, without limitation, revenue bonds, bank loans, and equity funds provided by the Redeveloper.

#### 2. PROPERTY ACQUISITION

The Property Acquisition Map, Exhibit "D" attached, identifies all the property located in the Area. The LCRA may not acquire any properties in the Area by the exercise of eminent domain.

#### 3. PROPERTY DISPOSITION

If the LCRA acquires property in the Area, it may sell or lease the property to a Redeveloper who shall agree to develop such property in accordance with this Plan and the contract between such Redeveloper and the LCRA. Any property acquired by the LCRA and sold to a Redeveloper will be sold at not less than its fair value, taking into account and giving consideration to those factors enumerated in Section 99.450, R.S.Mo. (1986) as amended, for uses in accordance with this Plan.

#### 4. RELOCATION ASSISTANCE

The property within the Area is currently partially occupied. All eligible occupants displaced as a result of the implementation of the Plan shall be given relocation assistance in accordance with all applicable federal, state and local laws, ordinances, regulations and policies.

#### E. COOPERATION OF THE CITY

The City of St. Louis and its Board of Aldermen, by enacting an ordinance approving this Plan, pledges its cooperation to enable the project to be carried out in a timely manner and in accordance with this Plan.

#### F. TAX ABATEMENT

A Redeveloper shall hereby be entitled to ad valorem tax abatement benefits for a period not to exceed ten (10) years from the commencement of such tax abatement. A Redeveloper may seek such tax abatement pursuant only to Sections 99.700 - 99.715, Revised Statutes of Missouri, upon application as provided therein.

#### G. COMPLIANCE WITH AFFIRMATIVE ACTION AND NONDISCRIMINATION LAWS AND REGULATIONS

##### 1. LAND USE

The Redeveloper shall not discriminate on the basis of race, color, religion, national origin, marital status, sex, age, or physical handicap in the lease, sale or occupancy of the Area.

##### 2. CONSTRUCTION AND OPERATIONS

A Redeveloper shall not discriminate on the basis of race, color, religion, national origin, marital status, sex, age, or physical handicap in the construction and operation of any project in the Area and shall take such affirmative action as may be appropriate to afford opportunities to everyone in all activities of the project, including enforcement, contracting, operating and purchasing.

##### 3. LAWS AND REGULATIONS

A Redeveloper shall comply with all applicable federal, state and local laws, ordinances, executive orders and regulations regarding nondiscrimination and affirmative action, including the Community Development Agency Guidelines for Maximum Utilization of Minority Enterprises dated January 1, 1981, as may be amended, and the "Equal Opportunity and Nondiscrimination Guidelines" in Exhibit "E", attached.

##### 4. ENFORCEMENT

All of the provisions of this Section G shall be incorporated in a Contract between the LCRA and a Redeveloper, which agreement shall be recorded in the office of the Recorder of Deeds. The provisions of G (1) shall be covenants running with the land, without limitation as to time, and the provisions of G (2) shall be for the duration of this Plan and any extension thereof.

All of the provisions of Section G shall be enforceable against the Redeveloper, its heirs, successors or assigns, by the LCRA, the City of St. Louis, any state having jurisdiction or the United States of America.

#### H. MODIFICATIONS OF THIS PLAN

Where a proposed modification will substantially change this Plan, the modification must be approved by the St. Louis Board of Aldermen in the same manner as this Plan was first approved. Modifications which will substantially change this Plan include, but are not necessarily limited to, modifications on the use of eminent domain, to the length of tax abatement, to the boundaries of the Area, or other items which alter the nature or intent of this Plan.

This Plan may be otherwise modified (e.g. urban design regulations, development schedule) by the LCRA, provided that such modification shall be effective only upon the consent of the St. Louis Community Development Commission. Changes which are not substantial are those that do not go to the crux of this Plan.

#### I. DURATION OF REGULATION AND CONTROLS

The regulation and controls set forth in this Plan shall be in full force and effect for twenty-five years commencing with the effective date of approval of this Plan by ordinance, and for additional ten (10) year periods unless before the commencement of any such ten (10) year period the Board of Aldermen shall terminate this Plan as of the end of the term then in effect, except as provided in Section G (4) of this Plan.

#### J. EXHIBITS

All attached exhibits are hereby incorporated by reference into this Plan and made a part hereof.

#### K. SEVERABILITY

The elements of this Plan satisfy all requirements of state and local laws. Should any provisions of this Plan be held invalid by a final determination of a court of law, the remainder of the provisions hereof shall not be affected thereby, and shall remain in full force and effect.



## EXHIBIT "A"

### LEGAL DESCRIPTION

#### 1804-08 SOUTH NINTH STREET AMENDED AREA

All of Lots 3 through 6 and the southern 13 feet of Lot 2 of J.C. Soulard's second addition, and in Block 383 of the City of St. Louis, together fronting 133 feet, more or less, on the east line of South Ninth Street by a depth eastwardly 140 feet, more or less, to an alley; known as and numbered 1804-1808 South Ninth Street.

### INSERT EXHIBITS "B" "C" "D"

--Not Available in Electronic Format--

## EXHIBIT "E"

FORM: 4/08/92

### EQUAL OPPORTUNITY AND NONDISCRIMINATION GUIDELINES

In any contract for work in connection with the redevelopment of any property in the Area, the Redeveloper (which term shall include Redeveloper, any designees, successors and assigns thereof, and any entity formed to implement the project of which the Redeveloper is a general partner), its contractors and subcontractors will include a clause requiring compliance with all federal, state and local laws, ordinances, or regulations governing equal opportunity and nondiscrimination, the Executive Orders of the Mayor of the City dated December 6, 1984, January 10, 1990, March 31, 1992, and all guidelines herein.

The Redeveloper and its contractor will not contract or subcontract with any party known to have been found in violation of any such laws, ordinances, regulations or these guidelines.

In the redevelopment of the Area, there shall be maximum utilization of bona fide minority business enterprises ("MBE's") and women business enterprises ("WBE's" and, together with MBE's, "disadvantaged business enterprises" or "DBE's"). The Redeveloper will set a minimum goal of twenty-five percent (25%) MBE participation and five percent (5%) WBE participation under these guidelines. In the event the Redeveloper fails to attain that goal, the Redeveloper may be required to show good cause therefor; provided however, that this requirement will be deemed to have been met when documentation evidences that all available resources (i.e. DBE suppliers, contractors, and subcontractors) willing to perform the work or provide the supplies-- at a price which (i) is within the range requested by non-DBE's; or (ii) if higher than

that requested by non-DBE's, is attributable to the effects of past discrimination--have been exhausted.

For purposes of this section, the term "minority business enterprise" (or "MBE") means a business at least fifty-one percent (51%) of which is owned and controlled by minority group members. The term "women business enterprise" (or "WBE") means a business at least fifty-one percent (51%) of which is owned and controlled by females.

The Redeveloper agrees for itself and its successors and assigns, that there shall be covenants to ensure that there shall be no discrimination on the part of the Redeveloper, its successors or assigns upon the basis of race, color, religion, national origin, sex, marital status, age or physical handicap in the sale, lease, rental, use or occupancy of any property, or any Improvements erected or to be erected in the Area or any part thereof, and those covenants shall run with the land and shall be enforceable by the LCRA, the City, and the United States of America, as their interests may appear in the project.

The Redeveloper agrees that if the redevelopment of the Area creates permanent jobs, it shall enter into an Employment Plan with the Saint Louis Agency on Training and Employment and the LCRA for referral of Jobs Training Partnership Act eligible individuals. Said plan shall specify the number of jobs to be covered by the Employment Plan, the target date for referrals to begin, and the procedure for referral.

Legislative History				
1ST READING	REF TO COMM	COMMITTEE	COMM SUB	COMM AMEND
09/24/93	09/24/93	HUDZ	10/27/93	
2ND READING	FLOOR AMEND	FLOOR SUB	PERFECTN	PASSAGE
10/29/93			11/05/93	11/12/93
ORDINANCE	VETOED		VETO OVR	
63006				